

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

PHILLIP EDWARD GARDNER II

CASE NO. 09-70425-HDH-13

AKA1:
DBA1:
SS#1: xxx-xx- 5254

AKA2:
DBA2:
SS#2:

REPORT OF 341 MEETING

I. 341 MEETING REPORT:

A. Orig. Date: 9/24/2009 Orig. Time: 12:00 PM Reset Date: Reset Time:
B. Meeting Results: Adjourned
C. Debtor(s): Debtor 1 Appeared
D. Attorney for Debtor(s): Appeared
E. Creditor Appearance: None
F. Amount Paid to the Trustee as of 9/25/2009 \$0.00 First Payment Due Date: 9/24/2009
G. File Trustee's Motion to Dismiss because
H. B22C Information: B22C Form is: Complete
Budgeted Income: \$1,733.33 Expense: \$1,398.33 Surplus: \$335.00
Plan Payment: \$335.00 Monthly Plan Term(Months): 48
I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00
Objection to Exemption of:
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:
Object to Invoke Stay Pleading
Case Converted from Chapter 7, Bar Date Set: 12/23/2009 Date Converted from Chapter 7:
J. Required Information: DSO Affidavit w/ servicing agent
K. Business Information:
L. Object to Confirmation: No
M. Financial Management Class: Debtor 1 Appeared
N. Eligibility:
Certificate of Credit Counseling Filed: Debtor 1 Only
Credit Counseling Provider Approved: Yes
Debt Limits Exceeded (Secured-\$1,010,650; Unsecured-\$336,900): No
O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00
Affidavit and Disclosure of Domestic Support Obligations Received: Yes
P. Remarks: MTD
-Need the servicing agent for DSO on DSO Affidavit.
Questions
-Affidavit unemployed since 01/09? No income of any form?
Correct
-Mr. employed?
-When, Where, Salary, Need stubs & WW
No
Objections
-Requested WW directive & income records at 341.
Not employed could not request.

Dated: 9/24/2009

/s/ Walter O'Cheskey

Walter O'Cheskey

Chapter 13 Trustee

6308 Iola Avenue Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

Standing Bankruptcy Trustee

By: Brent Hagan

09-70425 Page 3 of 4

Case Number:	09-70425
Debtor:	Gardner
Attorney:	MJW
Presiding Officer:	Brent Hagan
Calculation Date:	9/23/2009 13:15

Domestic Support Input name from Plan	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
Lorain County Job & Family Services	\$1,850.00	0.00%	48	\$38.54	\$1,850.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral Input name from Plan	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
First Know National	\$7,872.00	10.00%	48	\$199.65	\$9,583.40
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor Input name from Plan	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees Paid Through the Plan	\$2,719.00			\$2,719.00
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Noticing Fees	\$52.64			\$52.64
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Clerk Filing Fees	\$0.00			\$0.00
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Hardacre Minimum	\$0.00	<div style="display: flex; align-items: center; justify-content: center;"> <div style="border-left: 1px solid black; padding-left: 10px; margin-right: 10px;"> Less Trustee Fees Less Attorney Fees Less Noticing Fees Less Clerk Filing Fees Less Scheduled Priority Claims Less Other (Explain Below) </div> <div style="text-align: center; flex-grow: 1;"> Greater Of -----> </div> </div>		
Chapter 7 Minimum (Gross)	\$0.00			
Less Trustee Fees	\$0.00			
Less Attorney Fees	\$2,719.00			
Less Noticing Fees	\$52.64			
Less Clerk Filing Fees	\$0.00			
Less Scheduled Priority Claims	\$1,850.00			
Less Other (Explain Below)	\$0.00			
Chapter 7 Minimum (Net)	\$0.00			

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$1,989.00
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$15,777.53
Debtor Plan Base (Monthly Payment X Term)	\$16,080.00
Surplus (Debtor Plan Base - Calculated Base)	\$302.47

Comments:

Case Number:	0
Debtor:	0
Attorney:	0
Presiding Officer:	0
Calculation Date:	9/23/2009 13:15

Schedule I Gross Income		\$0.00
Less Line 57 B22C		\$0.00
Adjustments (Enter as positive to add, negative to subtract)		
Adjustment out		\$0.00
Month Disposable Income Available		\$0.00
Multiplier		60
Minimum to Unsecureds		\$0.00

Comments: